

1 Peter R. Afrasiabi (SBN 193336)
Email: pafrasiabi@onellp.com
2 Christopher S. Skinner (SBN 342830)
Email: cskinner@onellp.com

3 **ONE LLP**

23 Corporate Plaza, Suite 150-105
4 Newport Beach, CA 92660
Telephone: (949) 502-2870
5 Facsimile: (949) 258-5081

6 Attorney for Plaintiff,
PAUL VELGOS, d/b/a PAUL VELGOS
7 PHOTOGRAPHY

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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12

13 PAUL VELGOS, an individual, d/b/a
14 PAUL VELGOS PHOTOGRAPHY,

15 Plaintiff,

16 v.

17 NEUROLOGICS, INC., a Nevada
18 corporation; and DOES 1-10, inclusive,

19 Defendants.
20

Case No.

**COMPLAINT FOR COPYRIGHT
INFRINGEMENT (17 U.S.C. § 501)**

DEMAND FOR JURY TRIAL

1 Plaintiff Paul Velgos, d/b/a Paul Velgos Photography (“Plaintiff” or
2 “Velgos”), by and through his attorneys of record, complains against Defendants
3 Neurologics, Inc. (“Defendant” or “Neurologics”), and DOES 1-10, inclusive
4 (collectively, “Defendants”), as follows:

5 **JURISDICTION AND VENUE**

6 1. This is a civil action against Defendants for their acts of copyright
7 infringement in violation of the United States Copyright Act, 17 U.S.C. §§ 101 et
8 seq.

9 2. This Court has subject matter jurisdiction over this copyright
10 infringement action under 28 U.S.C. § 1331, 17 U.S.C. § 501(a), and 28 U.S.C. §
11 1338(a).

12 3. Venue is proper in this District under 28 U.S.C. §§ 1391(b)(2) and (c)
13 in that the claim arises in this judicial district, the Defendants transact business in
14 this judicial district, and the injury suffered by Plaintiff took place in this judicial
15 district. Defendants are subject to the general and specific personal jurisdiction of
16 this Court because of their contacts with the State of California.

17 **PARTIES**

18 4. Plaintiff Paul Velgos, d/b/a Paul Velgos Photography, is an individual
19 residing in Indiana.

20 5. Plaintiff is informed and believes, and upon such alleges, that
21 Neurologics, Inc. is a corporation formed under the laws of the state of Nevada with
22 its principal place of business in Henderson, Nevada, and has multiple locations
23 throughout California, including at Fashion Island in Newport Beach, California (as
24 discussed herein on the infringed photo).

25 6. DOES 1 through 10, inclusive, are unknown to Plaintiff, who therefore
26 sues said Defendants by such fictitious names. Plaintiff will ask leave of Court to
27 amend this Complaint and insert the true names and capacities of said Defendants
28 when the same have been ascertained. Plaintiff is informed and believes, and upon

1 such alleges, that each of the Defendants designated herein as a “DOE” is legally
2 responsible in some manner for the events and happenings herein alleged, and that
3 Plaintiff’s damages as alleged herein were proximately caused by such Defendants.

4 **STATEMENT OF FACTS**

5 *Plaintiff’s Business and the Photographs Forming the*
6 *Subject Matter of This Dispute*

7 7. As part of its business as a prominent photography agency, Plaintiff
8 Velgos is hired by a multitude of top-tier media outlets. Many thousands of Velgos’s
9 images have been purchased for use in movies, television, books, magazines,
10 websites, print wall decor, and much more. Velgos’s images have been licensed by
11 some of the world’s most well-known businesses, including Google, Warner Bros.,
12 Marriott, Wyndham Hotels & Resorts, Bureau of Alcohol, Tobacco, Firearms and
13 Explosives, Fifth Third Bank, Chicago Magazine, Los Angeles Magazine, Orange
14 Coast Magazine, Marcus & Millichap, and Jewel Foods. Examples of projects and
15 clients are on Velgos’s website. Velgos frequently works directly with businesses
16 and also partners with advertising agencies, art consultants, and design consultants
17 on projects.

18 8. Velgos has created many stylized and valuable photographs of high-
19 quality cityscape, landscape, real estate, and beach photography that emphasizes
20 unique scenes and tones. Among them is a photograph which frames the subject
21 matter of the dispute. This photograph is a photograph of the famed Fashion Island
22 sign at Newport Beach, California (the “Photo”), one of the most exclusive and
23 significant fashion and commercial retail locations in the country. A true and correct
24 copy of the Photo is attached hereto as Exhibit A.

25 9. Velgos timely registered the Photo with the United States Copyright
26 Office on April 22, 2012, well before Defendants’ copyright infringement. A true
27 and correct copy of the copyright registration certificate is attached hereto as Exhibit
28 B.

The Defendants and the Marketplace

10. Neurologics, according to its website (neurologics.com), is a “technology company which combines proprietary imaging and optimization technology with mainstream neuroscience and cutting-edge medicine,” offering “brain mapping” and “neuroengineering” services. Neurologics’ website states that it “offers custom-designed, non-invasive, drug free optimization programs for individuals struggling with cognitive deficits related to brain injury, ADD/ADHD, substance abuse, and more,” by utilizing an electroencephalogram (EEG) combined with “proprietary software that creates a precise assessment” of electric signals in the customer’s brain, then having “expert clinicians guide a series of sessions that pair specific brain-training exercises with real-time qEEG analysis.”

11. On information and belief, Defendants offer these services through clinicians at each of their “assessment centers.”

12. On information and belief, Defendants recently opened a new assessment center in Newport Beach, California. Defendants’ website states, in bright yellow at the bottom of all the pages contained therein, “Newport Beach Assessment Center Now Open!”

13. On information and belief, Defendants operate the Facebook page located at <https://www.facebook.com/Neurologics>. On June 21, 2023, Defendants made a post on their Facebook page stating “[w]e’re excited to announce the opening of Neurologics Newport located in the heart of Fashion Island!” with the Photo attached. The Photo is not licensed to Defendants or authorized by the owner to be present for advertising.

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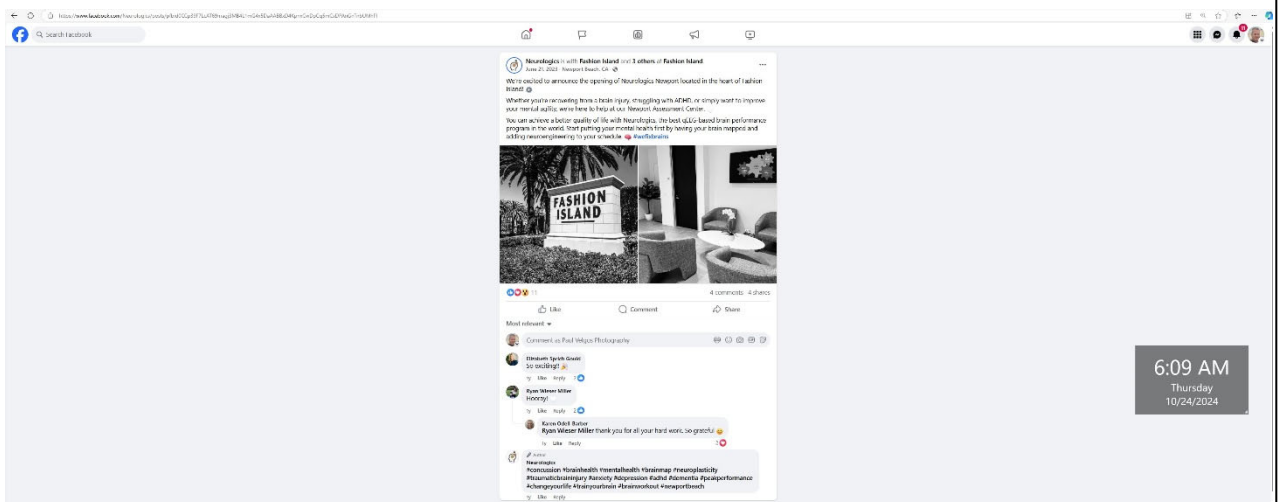
14. Plaintiff's Photo and Defendants' infringing Facebook post are reproduced here:

Velgos's Registered Photo:



Fashion Island Sign in Newport Beach California is a photograph by Paul Velgos which was uploaded on November 9th, 2012.

Infringing Use by Defendants:



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(<https://www.facebook.com/Neurologics>.)

15. Plaintiff is informed and believes, and based thereon alleges, that Defendants have violated federal law by infringing Velgos's copyright to at least the Photo identified in Exhibit A. Specifically, Defendants reproduced, modified and created a derivative version, and then distributed and publicly displayed, and uploaded and hosted on their Facebook page, the Photo and/or derivatives thereof without permission, consent, or license for the purposes of trade, specifically to promote Neurologics' brand and services, using Velgos's Photo to advertise such services.

16. Velgos has never sold or licensed the Photo to Defendants for use.

17. Plaintiff is informed and believes, and based thereon alleges, that Defendants have driven significant traffic to Neurologics' Facebook page and website as a result of their use of the Photo. All of this traffic translates into substantial ill-gotten commercial advantage and revenue generation for Defendants as a consequence of their infringing actions.

18. The infringement is also willful because, on information and belief, Defendants took the Photo and cropped or otherwise removed Plaintiff's watermark from the Photo. As shown in the images above, the watermark exists on Plaintiff's Photo, but is missing from Defendants' infringing post where the infringement was cropped just at the point to remove the watermark.

FIRST CAUSE OF ACTION

(Copyright Infringement - 17 U.S.C. § 501)

(By Plaintiff Against All Defendants)

19. Plaintiff incorporates by reference the allegations in paragraphs 1 through 18 above as though fully set forth herein.

20. Velgos is the rightsholder to the copyright of the Photo, which substantially consists of wholly original material that constitutes copyrightable subject matter under the laws of the United States. Velgos has complied in all respects with the Copyright Act and all of the laws of the United States governing copyrights. The Photo has been timely registered with the United States Copyright Office.

21. Defendants have directly, vicariously, and/or contributorily infringed, and unless enjoined, will continue to infringe Velgos's copyright by reproducing, displaying, distributing, and utilizing the Photo for purposes of trade without authorization of or payment to Velgos in violation of 17 U.S.C. § 501 et seq.

22. Defendants have willfully infringed, and unless enjoined, will continue to infringe Velgos's copyrights by knowingly reproducing, displaying, distributing, and utilizing the Photo for the purposes of trade, specifically to promote the Neurologics brand.

23. Velgos is informed and believes, and upon such alleges, that Defendants, despite such knowledge, willfully reproduced and distributed the Photo, without any right to do so.

24. Defendants have received substantial benefits in connection with the unauthorized reproduction, distribution, and utilization of the Photo for purposes of trade, including by increasing the traffic to their Facebook page and the use of their services.

1 contributorily infringes, or vicariously infringes upon Velgos's rights in the Photo at
2 issue;

3 2. For actual damages and disgorgement of all profits derived by
4 Defendants from their acts of copyright infringement and reimbursement to Velgos
5 for all damages suffered by it by reason of Defendants' acts pursuant to 17 U.S.C.
6 §§ 504(a)(1) & (b);

7 3. For an accounting of all profits, income, receipts, or other benefit
8 derived by Defendants from the reproduction, copying, display, promotion,
9 distribution, or sale of products and services, or other media, either now known or
10 hereafter devised that improperly or unlawfully infringes upon Velgos's copyright
11 pursuant to 17 U.S.C. § 504(a)(1) and (b);

12 4. For statutory damages for Defendants' copyright infringement,
13 including willful infringement, in accordance with 17 U.S.C. §§ 504(a)(2) & (c);

14 5. For costs and interest pursuant to 17 U.S.C. §§ 504(a)(1) & (b) and
15 505;

16 6. For reasonable attorneys' fees incurred herein pursuant to 17 U.S.C. §
17 505; and

18 7. For any such other and further relief as the Court may deem just and
19 appropriate.

20
21 Dated: June 18, 2025

ONE LLP

22
23 By: /s/ Peter R. Afrasiabi

Peter R. Afrasiabi

24 Christopher S. Skinner

25 Attorneys for Plaintiff,

26 Paul Velgos, d/b/a Paul Velgos

Photography

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury as to all claims and all issues properly triable thereby.

Dated: June 18, 2025

ONE LLP

By: /s/ Peter R. Afrasiabi

Peter R. Afrasiabi

Christopher S. Skinner

Attorneys for Plaintiff,

Paul Velgos, d/b/a Paul Velgos

Photography